

House Bill 750

By: Representatives Harbin of the 118th and Fleming of the 117th

A BILL TO BE ENTITLED
AN ACT

To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to special motor vehicle license plates, so as to provide for special plates to promote stroke awareness and to benefit the Center for Telehealth of the Medical College of Georgia; to provide for the design and issuance of such plates; to provide for fees; to provide for reports and intent with respect to funds; to provide for other related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to special motor vehicle license plates, is amended by adding a new Code Section 40-2-86.10 to read as follows:

"40-2-86.10.

(a) In order to promote and provide for stroke awareness and to benefit the Center for Telehealth of the Medical College of Georgia, there shall be issued beginning January 1, 2006, special license plates promoting and benefitting such efforts, which shall be known as the stroke awareness special license plate.

(b) The commissioner shall design a special distinctive license plate in conjunction with the Center for Telehealth of the Medical College of Georgia appropriate to promote the message of stroke awareness. Such special license plate shall be of the same size as general issue motor vehicle license plates and shall include a unique design and an identifying number of not more than six digits. No two recipients shall receive identically numbered plates. Such design shall not include a space for a county name decal but shall instead bear the legend 'Stroke Awareness' in lieu of the name of the county of issuance.

(c)(1) Notwithstanding the provisions of subsection (b) of this Code section, this Code section shall not be implemented until such time as the State of Georgia has, through a licensing agreement or otherwise, received such license or other permission as may be

1 required to implement this Code section. The design of the initial edition of such special
2 license plate, as well as the design of subsequent editions and excepting only any part or
3 parts of the designs owned by others and licensed to the state, shall be owned solely by
4 the State of Georgia for its exclusive use and control, except as authorized by the
5 commissioner. The commissioner may take such steps as may be necessary to give notice
6 of and protect such right, including the copyright or copyrights. However, such steps
7 shall be cumulative of the ownership and exclusive use and control established by this
8 subsection as a matter of law, and no person shall reproduce or otherwise use such design
9 or designs, except as authorized by the commissioner.

10 (2) The commissioner shall retain all applications for such special license plates until a
11 minimum of 500 applications has been received. If the commissioner does not receive
12 the minimum of 500 applications no later than July 31 of the year preceding the year of
13 issuance of such plates, no special plates shall be issued and all fees shall be refunded to
14 the applicants. If a performance bond is required, it shall be no greater than \$12,500.00.

15 (d) On and after January 1, 2006, any Georgia resident who is the owner of a motor
16 vehicle, except a vehicle registered under the International Registration Plan, upon
17 complying with the motor vehicle laws relating to registration and licensing of motor
18 vehicles and upon the payment of a fee of not more than \$25.00 in addition to the regular
19 motor vehicle registration fee and a one-time \$25.00 manufacturing fee, shall be issued a
20 special license plate under this Code section in lieu of a general issue license plate. An
21 application for such special license plate shall be submitted during the owner's registration
22 period, and such special license plate shall be issued within 30 days of such application.
23 Revalidation decals shall, upon payment of fees required by law and collected by the
24 county tag agent and remitted to the state as provided in Code Section 40-2-34, be issued
25 for such special license plates in the same manner as provided for general issue license
26 plates.

27 (e) The annual funds derived from the sale of such special license plates, less a \$1.00
28 processing fee which shall be granted to county tag offices per plate sold and less the
29 one-time \$25.00 manufacturing fee, shall be deposited in the general fund of the state
30 treasury. As soon as practicable after December 31 of each year, the commissioner shall
31 report the net amount derived from the sale of such special license plates, not including the
32 one-time manufacturing fees, to the Office of Planning and Budget and the Medical
33 College of Georgia. It is the intent of the General Assembly that the General Assembly
34 appropriate an amount equal to such net proceeds derived from the sale of such license
35 plates in any year to be made available during the following fiscal year to the Center for
36 Telehealth of the Medical College of Georgia. The Center for Telehealth of the Medical
37 College of Georgia shall utilize the funds so appropriated to provide for stroke awareness,

1 treatment, and prevention programs. The Center for Telehealth of the Medical College of
2 Georgia may enter into contractual agreements, as may be appropriate, to further such
3 objectives. The Center for Telehealth of the Medical College of Georgia may provide said
4 funds for use as local or minimum matching funds.

5 (f) Special license plates issued under this Code section shall be transferred from one
6 vehicle to another vehicle in accordance with the provisions of Code Section 40-2-80.

7 (g) The Center for Telehealth of the Medical College of Georgia shall submit a report to
8 the chairpersons of the Senate Transportation Committee and the House Committee on
9 Transportation detailing the revenues derived from the sale of special license plates issued
10 under this Code section and the receipt and expenditure of any funds appropriated for the
11 purposes provided by this Code section. Such report shall be made not later than the
12 second Monday of January of each year."

13 **SECTION 2.**

14 All laws and parts of laws in conflict with this Act are repealed.